

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

REGINALD O'NEAL HARRIS,	:	
Petitioner,	:	
v.	:	Civil Action No. 05-212J
MR. ROZUM, WARDEN, S.C.I.	:	
SOMERSET,	:	
Respondent	:	

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on May 26, 2005, docket no. 7, recommending that the petitioner's petition for a writ of habeas corpus be summarily denied for violation of Rule 2(e) of the Rules governing Habeas Corpus Cases under Section 2254 in the United States District Courts, 42 U.S.C. Appendix, and that a certificate of appealability be denied.

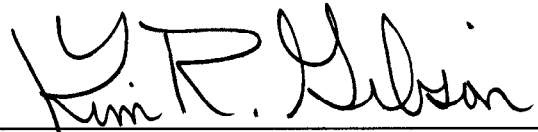
The petitioner was notified that pursuant to 28 U.S.C. § 636(b)(1), he had ten days to serve and file written objections to the Report and Recommendation. The petitioner sent objections which were returned for violation of the local rules on June 8, 2005, but petitioner has not filed objections or amended his petition.

After review of the record of this matter together with the Report and Recommendation, and noting the absence of objections thereto, the following order is entered:

AND NOW, this 15th day of March 2006, it is

ORDERED that the petitioner's petition for a writ of habeas corpus is denied without prejudice, and a certificate of appealability is denied. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

cc:

Reginald O'Neal Harris FK-3668
S.C.I. Somerset
1600 Walters Mill Road
Somerset, PA 15510